

# **DOSH DIRECTIVE**

Department of Labor and Industries  
Division of Occupational Safety and Health  
*Keep Washington Safe and Working*

## **13.20**

# **Delaying Enforcement of WAC 296-62-500 Hazardous Drugs**

**Date: April 10, 2013**

### **I. Purpose**

This DOSH Directive establishes a delay in enforcing WAC 296-62-500, the Hazardous Drugs rule.

For purposes of this directive, “CSHO” refers to the Division of Occupational Safety and Health (DOSH) Compliance and Consultation Safety and Health Officers.

### **II. Scope and Application**

This directive applies to all DOSH operations statewide. It replaces all previous instructions on this issue, whether formal or informal.

### **III. Definition**

**Hazardous drugs** means any drug identified as hazardous by the National Institute for Occupational Safety and Health (NIOSH) at the Centers for Disease Control (CDC) or any drug that meets at least one of the following six criteria:

- Carcinogenicity
- Teratogenicity or developmental toxicity
- Reproductive toxicity in humans
- Organ toxicity at low doses in humans or animals
- Genotoxicity
- New drugs that mimic existing hazardous drugs in structure and toxicity.

### **IV. References**

- WAC 296-62-500, Hazardous Drugs
- DOSH Compliance Manual
- RCW 49.17.460, Definitions
- RCW 49.17.465, Handling hazardous drugs — Health care facilities
- National Institute for Occupational Safety and Health (NIOSH) 2004 Alert on preventing occupational exposures to antineoplastic and other hazardous drugs in health care settings, as updated in 2010

**V. Background**

In 2011, the Washington Legislature passed Engrossed Substitute Senate Bill (ESSB) 5594 which mandated the Department of Labor & Industries (L&I) to establish requirements to protect workers who handle chemotherapy and other hazardous drugs. The bill required L&I to adopt rules consistent with, but not exceeding, provisions of the NIOSH 2004 Alert on preventing occupational exposures to antineoplastic and other hazardous drugs in health care settings, as updated in 2010.

The final rule included provisions for creating a Hazardous Drugs Advisory Committee to discuss new NIOSH recommendations, scientific and technological development, and other issues related to implementing the rule. The committee includes both employer and employee representatives from the health care industry and representatives of affected state agencies.

When the Hazardous Drugs rule was adopted on January 3, 2012, it had the following implementation dates:

- Written hazardous drugs control programs completed and implemented by January 1, 2014.
- Employee training implemented by July 1, 2014.
- Installation of appropriate ventilated cabinets completed by January 1, 2015.

DOSH has been working with the Hazardous Drugs Advisory Committee to develop the model programs and training programs that are required by the rule. Progress has been made on the model programs, but there is still much work to do. DOSH is committed to taking the time to help employers understand the new requirements in the Hazardous Drugs rule, develop the written programs and training programs, and implement these new requirements.


**VI. Enforcement Policy**

- A. In response to a written request from both the business and labor chairs of the Hazardous Drugs Advisory Committee, DOSH is granting an additional one year delay in enforcing the provisions of the Hazardous Drugs Rule, WAC 296-62-500. This delay will give employers more time to develop the written programs and training programs they are required to have. This delay will also allow DOSH to develop the education and outreach support materials employers will need to comply with the rule before it becomes effective.
- B. DOSH staff will not cite violations of WAC 296-62-500 until January 1, 2015. The delayed implementation dates for this rule will be:
  - Written hazardous drugs control programs completed and implemented by January 1, 2015.
  - Employee training implemented by July 1, 2015.
  - Installation of appropriate ventilated cabinets completed by January 1, 2016.

- C. During this delay in enforcement, CSHO's shall continue to cite hazards identified during compliance inspections or consultation visits under existing safety and health rules, such as Hazard Communication, Accident Prevention Program or PPE.
- D. Regional staff will coordinate all Compliance activity related to hazardous drugs use with DOSH Compliance Operations staff prior to conducting an opening conference with an employer. Any citations issued for exposure to hazardous drugs will be reviewed by DOSH Compliance Operations staff before the closing conference is held with the employer. Consultation reports will be reviewed by the Consultation Technical Support staff.

#### **VIII. Expiration**

This directive will expire on January 1, 2016.

Approved:   
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